



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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January 24, 2006

Mr. Donald Fritzke
N103 W17108 Wildrose Lane
Germantown, WI 53022

File Ref: FID#241170270
BRRTS#02-41-248106

Subject: Approval of Revised Work Plan, Change Order and Variance
Dry Cleaner Environmental Response Program (DERP)
Former Colony Dry Cleaners, 10003 W. Carmen Avenue, Milwaukee

Dear Mr. Fritzke:

The Department approves the revised work plan and cost estimate for a change order for site investigation at the former Colony Dry Cleaners, submitted on your behalf by United Engineering Consultants (UEC) January 17, 2006. The January 2006 submittal further revises the work plan received from UEC in November 2005. The work plan proposes additional soil borings around the facility to further define the extent of soil contamination found in previous investigations, and to assess whether a source for part of this contamination is under the southwest corner of the building. This part of the building previously had a drycleaning machine in it and spills in this room may have been historically collected into an underground storage tank beneath the floor of this room. The tank is still in place, and the revised work plan also includes a cost estimate to abandon this tank in place, after collecting a soil sample from beneath the tank. Groundwater samples may also be collected from the soil borings, if saturated conditions are encountered.

In a letter dated April 7, 2006, you also requested a variance to s. NR 169.23(3)(d)1 and s. NR 169.23(2)(b), Wisconsin Administrative Code, which require an applicant to obtain bids from consultants when planning to conduct additional site investigation work within the DERF program. The November submittal provided the information requested by the Department regarding this variance request. In accordance with s. 169.29(1), Wis. Adm. Code, the Department approves the variance from s. NR 169.23(3)(d)1 and s. NR 169.23(2)(b), Wis. Adm. Code, for this consultant change only. You will need to follow the bidding requirements of ch. NR 169, Wis. Adm. Code for any subsequent consultant changes and remedial action work, unless separate variance approvals are sought and issued.

Please proceed with the approved work plan. Have your consultant contact me with preliminary results prior to preparing a final report. You are required to comply with all applicable statutes and administrative rules including the NR 700 series, Wisconsin Administrative Code, hazardous waste management and wastewater discharges.

Cost approved for this submittal is \$17,535.00. The total cost approved to date for this site investigation is \$50,244.00. The total cost approved to date for this DERP project is \$50,244.00.

Please be aware that this letter does not represent Department "certification" that any response actions taken at your property, such as site investigation, remedial action or case closure under the ch. NR 700 series, are "approved by the Department," as those terms are used in the "remediated property; purchaser liability" section of the hazardous substance discharge law, s. 292.11, Stats.

This approval does not guarantee the reimbursement of costs under the Dry Cleaner Environmental Response Program. Final determination regarding the eligibility of costs for reimbursement will be made at the time of claim review.

If you have any questions regarding the content of this letter, please call me at (414) 263-8758.

Sincerely,

A handwritten signature in black ink, appearing to read "Pamela A. Mylotta". The signature is fluid and cursive, with the first name being the most prominent.

Pamela A. Mylotta, Hydrogeologist
Remediation & Redevelopment Program
Southeast Region, Milwaukee Service Center

cc: Tim Anderson – UEC, Inc.
Jeff Soellner – CF/8, GEF 2, Madison